



General Assembly

January Session, 2009

Amendment

LCO No. 6372

SB0091306372SD0

Offered by:
SEN. SLOSSBERG, 14th Dist.

To: Subst. Senate Bill No. 913

File No. 540

Cal. No. 386

"AN ACT CONCERNING UNITED STATES SENATE VACANCIES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 9-211 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) In case of a vacancy in the office of senator in Congress, the
6 Governor, [is empowered to fill such vacancy by appointment as
7 herein provided. If such vacancy occurs one hundred fifty or more
8 days prior to a state election, the appointee shall serve until the third
9 day of January following such election, and at such election there shall
10 be elected a senator in Congress to serve for the remaining portion, if
11 any, of the term vacated. If such vacancy occurs within less than one
12 hundred fifty days of a state election and the term vacated does not
13 expire on the third day of January following such election, the
14 appointee shall serve until the third day of January following the next
15 such election but one, and at such next election but one there shall be

16 elected a senator in Congress to serve for the remaining portion, if any,
17 of the term vacated. If such vacancy occurs within less than one
18 hundred fifty days of a state election and the term vacated expires on
19 the third day of January following, the appointee shall serve until such
20 third day of January] except as otherwise provided by federal or state
21 law, shall, not more than ten days after the occurrence of such vacancy,
22 issue writs of election directed to the town clerks or assistant town
23 clerks ordering an election to be held on the one hundred fiftieth day
24 after the issue of such writs on a day, other than a Saturday or Sunday,
25 to fill such vacancy, provided (1) if such a vacancy occurs between the
26 one hundred twenty-fifth day and the sixty-third day before the day of
27 a regular state or municipal election in November of any year, the
28 Governor shall so issue such writs on the sixtieth day before the day of
29 such regular election, ordering an election to be held on the day of
30 such regular election, (2) if such a vacancy occurs in the year of a state
31 election and is within sixty-three days of such election, and the office
32 of senator in Congress for which the vacancy exists will be on the
33 ballot during such election, the Governor shall not issue such writs and
34 no election shall be held under this section, unless the position vacated
35 is that of member-elect, in which case the Governor shall issue such
36 writs and an election shall be held as provided in this section, and (3) if
37 such vacancy occurs in the last year of the term of a senator and after
38 the day of a regular state or municipal election in November, the
39 General Assembly shall convene a special session to determine the
40 appropriate manner to fill such vacancy.

41 (b) The Governor shall cause writs of election issued pursuant to
42 subsection (a) of this section to be conveyed to a state marshal, who
43 shall forthwith transmit an attested copy thereof to such clerks or
44 assistant clerks. Such clerks or assistant clerks, on receiving such writs,
45 shall warn elections to be held on the day appointed therein in the
46 same manner as state elections are warned, which elections shall be
47 organized and conducted as are state elections, and the vote shall be
48 declared, certified, directed, deposited, returned and transmitted in the
49 same manner as at a state election.

50 Sec. 2. Section 9-450 of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective from passage*):

52 Nominations by major parties for any state, district or municipal
53 office to be filled under the provisions of any law relating to elections
54 to fill vacancies, unless otherwise provided therein, shall be made in
55 accordance with the provisions of sections 9-382 to 9-450, inclusive, as
56 amended by this act.

57 (1) (A) In the case of nominations for representatives in Congress
58 and judges of probate in probate districts composed of two or more
59 towns, provided for in sections 9-212 and 9-218, the delegates to the
60 convention for the last state election shall be the delegates for the
61 purpose of selecting a candidate to fill such vacancy. If a vacancy
62 occurs in the delegation from any town, political subdivision or
63 district, such vacancy may be filled by the town committee of the town
64 in which the delegate resided. Endorsements by political party
65 conventions pursuant to this subsection may be made and certified at
66 any time after the resignation or death creating such vacancy and not
67 later than the fiftieth day before the day of the election. No such
68 endorsement shall be effective until the presiding officer and secretary
69 of any district convention have certified the endorsement to the
70 Secretary of the State.

71 (B) If such a vacancy occurs between the one hundred twenty-fifth
72 day and the sixty-third day before the day of a regular state or
73 municipal election in November of any year, no primary shall be held
74 for the nomination of any political party and the party-endorsed
75 candidate so selected shall be deemed, for the purposes of this chapter,
76 the person certified by the Secretary of the State pursuant to section 9-
77 444 as the nominee of such party.

78 (C) Except as provided in subparagraph (B) of this subdivision, if a
79 candidacy for nomination is filed by or on behalf of any person other
80 than a party-endorsed candidate not later than fourteen days after the
81 party endorsement and in conformity with the provisions of section 9-

82 400, a primary shall be held in each municipality of the district and
83 each part of a municipality which is a component part of the district, to
84 determine the nominee of such party for such office, except as
85 provided in section 9-416a. Such primary shall be held on the day that
86 the writs of election issued by the Governor, pursuant to section 9-212,
87 ordered the election to be held, and new writs of election shall be
88 issued by the Governor in accordance with section 9-212.

89 (D) Unless the provisions of subparagraph (B) of this subdivision
90 apply, petition forms for candidacies for nomination by a political
91 party pursuant to this subdivision shall be available from the Secretary
92 of the State beginning on the day following the issuance of writs of
93 election by the Governor pursuant to section 9-212, except when a
94 primary has already been held, and the provisions of section 9-404a
95 shall otherwise apply to such petitions.

96 (E) The registry lists used pursuant to this subsection shall be the
97 last-completed lists, as provided in sections 9-172a and 9-172b.

98 (2) In the case of judges of probate in probate districts composed of
99 a single town, the day named for the election shall be not earlier than
100 the one hundred fifteenth day following the day on which the writ of
101 election is issued, and the times specified in sections 9-391, 9-405 and
102 9-423 shall be applicable.

103 (3) [In the case of a vacancy in the office of senator in Congress
104 occurring one hundred fifty or more days prior to a state election, the
105 party-endorsed candidate of each party for such office shall be
106 designated at the state convention of such party held for the
107 endorsement of candidates for the state offices to be filled at such
108 election; contesting candidacies for nomination to such office shall be
109 filed not later than four o'clock p.m. on the twenty-first day following
110 the close of such convention; and the primary of such party for
111 nomination to such office shall be held simultaneously with the
112 primaries of such party for nomination to the state and district offices
113 to be filled at such election. If, at the time such vacancy in the office of

114 senator in Congress occurs, such state convention has already been
115 closed, it shall be reconvened by call of the chairman of the state
116 central committee of such party, which call shall be mailed to each
117 delegate selected for such convention not less than seventy-two hours
118 prior to such reconvening; such reconvened convention shall be closed
119 not later than the tenth day following the occurrence of such vacancy.
120 The party-endorsed candidate of such party for such office shall be
121 designated at such reconvened convention. Contesting candidates for
122 nomination to such office shall be filed not later than four o'clock p.m.
123 on the twenty-first day following the close of such reconvened
124 convention. If the primaries of such party for nomination to the state
125 and district offices to be filled at the state election are held not earlier
126 than the forty-ninth day following the close of such reconvened
127 convention, the primary of such party for nomination to the office of
128 senator in Congress to fill such vacancy shall be held simultaneously
129 with the primaries of such party for nomination to such state and
130 district offices; otherwise, the Secretary of the State shall fix the day for
131 the primary of such party for such nomination to the office of senator
132 in Congress, which day shall be not earlier than the forty-ninth day
133 following the close of such reconvened convention and not later than
134 the twenty-first day preceding the day of the state election.] (A) In the
135 case of nominations for senators in Congress provided for in section 9-
136 211, as amended by this act, the delegates to the convention for the last
137 state election shall be the delegates for the purpose of selecting a
138 candidate to fill such vacancy. If a vacancy occurs in the delegation
139 from any town or political subdivision, such vacancy may be filled by
140 the town committee of the town in which the delegate resided.
141 Endorsements by political party conventions pursuant to this
142 subsection may be made and certified at any time after the resignation
143 or death creating such vacancy and not later than the fifty-sixth day
144 before the day of the primary. No such endorsement shall be effective
145 until the presiding officer and secretary of any state convention have
146 certified the endorsement to the Secretary of the State.

147 (B) If such a vacancy occurs between the one hundred twenty-fifth

148 day and the sixty-third day before the day of a regular state or
149 municipal election in November of any year, no primary shall be held
150 for the nomination of any political party and the party-endorsed
151 candidate so selected shall be deemed, for the purposes of this chapter,
152 the person certified by the Secretary of the State, pursuant to section 9-
153 444, as the nominee of such party. In such an event, endorsements by
154 political party conventions shall be made not later than sixty days
155 prior to the election.

156 (C) Except as provided in subparagraph (B) of this subdivision, if a
157 candidacy for nomination is filed by or on behalf of any person other
158 than a party-endorsed candidate not later than fourteen days after the
159 party endorsement and in conformity with the provisions of section 9-
160 400, a primary shall be held on the fifty-sixth day prior to the day of
161 the election in each municipality to determine the nominee of such
162 party for such office, except as provided in section 9-416a.

163 (D) Unless the provisions of subparagraph (B) of this subdivision
164 apply, petition forms for candidacies for nomination by a political
165 party pursuant to this subdivision shall be available from the Secretary
166 of the State beginning on the day following the issuance of writs of
167 election by the Governor, pursuant to section 9-211, as amended by
168 this act, except when a primary has already been held and the
169 provisions of section 9-404a shall otherwise apply to such petitions.

170 (E) The registry lists used pursuant to this subsection shall be the
171 last-completed lists, as provided in sections 9-172a and 9-172b.

172 (4) The times specified in sections 9-391, 9-405 and 9-423 shall be
173 applicable to any special town election held to fill a vacancy in any
174 town office under subsection (b) of section 9-164. Except as provided
175 under subsection (c) of section 9-164, any election held to fill a vacancy
176 in any municipal office under the provisions of any special act shall be
177 held not earlier than the one hundred twenty-seventh day following
178 the day upon which warning of such election is issued, and the times
179 specified in sections 9-391, 9-405 and 9-423 shall be applicable."

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	9-211
Sec. 2	<i>from passage</i>	9-450